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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,400	03/05/2001	Alan Tsu-l Yaung	1954P/STL920000109US1	2684

7590 04/26/2004  
SAWYER LAW GROUP  
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EXAMINER

SAIN, GAUTAM

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/800,400

Applicant(s)

YAUNG ET AL

Examiner

Gautam Sain

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/12-2; 4/7-3</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

2) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**2-1) Claims 1,2,6,7,8,9,13,14,15,16,20,21 rejected under 35 U.S.C. 102(e) as being anticipated by Triggs (US Patent 6546387 B1, filed Nov 15, 1999).**

Regarding claim 1,7,8, 14, 15, 21, Triggs teaches a *message caching agent for receiving the message* (ie., information collection agents ... in an event database )(col 2, lines 30-43)(col 2, line 65 col 3, line 8)(ie., email readers ... incoming information)(col 5, lines 45-60).

Triggs teaches a *message publishing agent ...page builder tool* (ie., web builder tool publish as a web site in a format ... )(col 8, lines 49-line 67).

Regarding claim 2, 9, 16, Triggs teaches *message publishing ... pushes ... tool* (ie., reference to Microsoft Frontpage ... information is uploaded to the server ... )(col 8, lines 55-67).

Regarding claims 6, 13, 20, Triggs teaches a *message publishing tool ... message caching agent* (ie., Web Builder ... build web ites and publish them ...

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Microsoft Frontpage reference ... information is uploaded to the holding server ...)(col 8, lines 49-67).

***Claim Rejections - 35 USC § 103***

3) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3-1) Claims 3, 10, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs (as cited and applied to claims 1, 7, 14, respectively above), in view of Chandra et al (US 2002/0138582 A1, Provisional application no. 60/230,037, filed Sep 5, 2000).**

Regarding claims 3, 10, 17, Triggs does not explicitly teach, but Chandra teaches "publishing agent is a servlet" (ie., plurality of servlet constructs that implement the services ... mail formatter which may be implemented in the form ... dynamic content creation servlets .. web page formatter ... formatting web pages )(para 211).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Triggs to include web page formatters with a plurality of servlet constructs that implement the services as taught by Chandra, providing the benefit of a communication system that provides ways to share messages, providing the best features of e-mail, the web and instant messaging, linking messages to other related messages to obtain a view of complex webs of messages and methods and

mechanisms that can aggregate related topical information within the context of a single message or web of messages (Chandra, para 28 – 33).

**3-2) Claims 4,5,11,12,18,19,22,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs (as cited and applied to claims 1, 7, 14, respectively above), in view of Underwood et al (US Patent 6697825 B1, filed Aug 2000).**

**Regarding claims 4, 5, 11,12, 18,19, 22, 23, Triggs falls short of expressly teaching, but Underwood teaches *a message publish ... request from the web browser ... publishing the message ... page builder tool* (ie., Web Definer allows users to construct and publish a complete web site using the definer)(col 9-67)(ie., Content Definer ...)(col 27, lines 28-54)(ie., Manager restores the user context and extracts commands the user wishes to execute ... every command sent to the Definer ... Manager generates response to a user request in HTML and passed back to the user)(ie., Definer macros for producing documents within Definer web-site)(ie., user clicks Notify on the page .. DXC constructs the HTML that contains the callback messages ... Definer Text Editor...)(col 50, lines 37-67; figure 73; fig 20, item 2000)(ie., applet that allows users to edit)(col 50, line 64-67).**

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Triggs to include a Web Definer, a Content Definer, a Manager that responds to user requests in HTML and defines macros with applets for producing documents with a web site as taught by Underwood, providing the benefit of an improved method and apparatus for web site generation that allows a user to make various selections regarding of a web site and for the web site to maintain an overall

consistency, regardless of the choices and collection of various information from an external database to be used in making automatic selections regarding the design of a web site (col 3, lines 50-67).

### **Other References**

#### **A. Patents**

1. Massena et al (US 6035119, filed Oct 1997, issued Mar 2000).
2. Inala et al (US 6199077, Jun 1, 1999 filed).
3. Balsara et al (US 6065012, issued May 2000).
4. Lindhorst et al (US 20040066410, continuation of application 09/223565, filed on Dec 1998).
5. Lindhorst et al (Appl No. 09/223,565, US Patent 6714219, filed Dec 1998)

#### **B. Non-Patent Literature**

1. Frontpage 2000 (as referenced by Table of Contents of the Tutorial, copyrighted 1999 which can be found at <http://www.actden.com/fp2000/java/toc.htm>).
2. Frontpage 97 Web Designer's Guide (Authors: Allman, Ledtke, Stinson; copyrighted 1997, publisher Mitchell Waite).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 703-305-8777. The examiner can normally be reached on M-F 9-5 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703)305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gautam Sain



**SANJIV SHAH**  
PRIMARY EXAMINER